



Department of Defense DIRECTIVE

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Administrative Reissuance Incorporating Change 1, September 23, 1975

ASD(M&RA)

SUBJECT: Funded Legal Education

References: (a) Chapter 101, 10 U.S.C. 2004

1. PURPOSE

This Directive establishes Department of Defense policy relative to the detailing of commissioned officers as students at law school at Government expense.

2. APPLICABILITY AND SCOPE

The provisions of this Directive apply to the Military Departments, and to all military personnel on active duty.

3. POLICY AND RESPONSIBILITIES

3.1. The policy of the Department of Defense is to promote an opportunity for a small number of career-oriented commissioned officers to be detailed annually to accredited law schools for the purpose of obtaining law degrees and returned subsequently to their Services as career judge advocate officers.

3.1.1. No more than 25 officers from each Military Department may commence training in any fiscal year.

3.1.2. Qualified officers will be assigned only to schools in the United States that are accredited by the American Bar Association.

3.1.3. Training will not exceed 36 months and will result in the award of a bachelor of laws or a juris doctor degree.

3.1.4. No agreement detailing any officer of the Armed Forces to an accredited law school may be entered into during any period in which the President is authorized by law to induct persons into the Armed Forces. Agreements in effect at such time that the President is authorized by law to involuntarily induct persons into the Armed Forces will not be voided by nature of induction authority.

3.2. The Secretary of the Military Department concerned shall:

3.2.1. At least once annually determine the number of officers required to be detailed to this duty.

3.2.2. At least once annually conduct a competitive selection board, the proceedings and results of which are made a matter of permanent record.

3.2.3. Require each candidate to sign an agreement that unless sooner separated, he will:

3.2.3.1. Complete the educational course of legal training and seek admission to the bar as outlined in this Directive.

3.2.3.2. Accept transfer or detail as a judge advocate or law specialist of his Service within the Military Department concerned upon completion of legal training.

3.2.3.3. Agree to serve on active duty following completion of training for a period of 2 years for each year or part thereof of the legal training obtained after commencing the program. Officers dropped from the program prior to completion of training will be required to perform active duty in an appropriate military capacity for 1 year for each year or part thereof of participation in the program.

3.3. The following guidelines are provided to assist in carrying out the policy and responsibilities in 3.1. and 3.2. above:

3.3.1. Qualifications for Assignment

3.3.1.1. Applicant must be a citizen of the United States currently serving on active duty in a commissioned officer status.

3.3.1.2. Applicant must hold a baccalaureate degree or equivalent.

3.3.1.3. Applicant must have served on active duty for a period of not less than 2 years or more than 6 years at the time training is to commence.

3.3.1.4. Applicant must be in the active duty pay grade of O-3 or below as of the time training is to commence. For accounting purposes, training will commence during the fiscal year in which the officer first obtains financial support under this program.

3.3.2. Program Administration

3.3.2.1. In addition to *mandatory tuition and fees*, the Military Departments will pay no more than \$150 annually for such *books determined* to be essential.

3.3.2.2. No period of service spent in school under this program is considered as satisfying any previously incurred service commitments. A service commitment incurred under this program shall be in addition to all previously incurred commitments.

3.3.2.3. Under regulations prescribed by the Secretary of the Military Department concerned, officers in the program may be assigned military duties during periods when school is not in session. Such duties shall, to the extent possible, involve legal or paralegal tasks consistent with the training and experience of the officer.

3.3.2.4. Officers may not accept paid civilian employment while under this program, except as may be permitted by law and the regulations of the Military Department concerned.

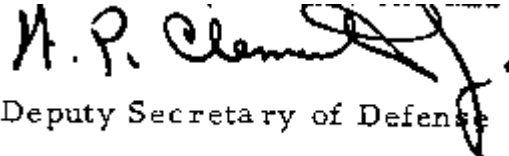
3.3.2.5. In those jurisdictions requiring the passage of a bar examination in addition to graduation from law school, as a condition to admission to the bar, officers in the program must take the first bar examination offered subsequent to graduation in the jurisdiction of the law school attended, or in the jurisdiction of the officer's domicile or, if approved by the Judge Advocate General of the Military Department concerned, in such other jurisdiction in which he may be eligible for admission to the bar. In the event an officer fails to pass the first bar examination that he elected to take, he must take the next bar examination in the same jurisdiction, or the next one available in a jurisdiction that he did not elect but in which, under this

paragraph, he could have taken the bar examination.

3.3.2.6. Discontinuance of participation in the program shall be as prescribed by the Secretary of the Military Department concerned.

4. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Two copies of implementing regulations shall be forwarded to the Assistant Secretary of Defense (Manpower and Reserve Affairs) within 90 days.


Deputy Secretary of Defense